

IN THE SPECIFICATION

At page 10, line 8, please change "36" to -38-.

At page 10, line 9, please change "38" to -40-.

At page 10, line 12, please change "Figure 3" to -Figure 2-.

At page 10 line 13, please change "Figure 3" to -Figure 2-.

IN THE CLAIMS

Please cancel claim 12.

1. (Amended) An automatically adjusting self tightening wrench comprising:

a handle having a gripping end and a working end;

a jaw member rotationally attached at an attachment end at a fixed point to said working end of said handle;

said working end having a continuously curved handle face;

said continuously curved handle face shaped substantially in a smooth arc formed substantially along a circumference of a first circular path around a first center point adjacent to said fixed point;

said jaw member having a planar face opposing said curved handle face;

means to bias said planar face of said jaw member toward said handle face; and

said planar face following a generally second circular path around said [pin] fixed point and around said first circular path when said jaw member is rotated thereby moving from a first point a minimum distance from said curved handle face to a second point

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a maximum distance from said curved handle face whereby said automatically adjusting self tightening wrench may be placed over an object to be rotated and said object size is accommodated by rotation of said jaw member increase or decrease between said curved handle face and said planar face.

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13. (Amended) The automatically adjusting self tightening wrench of claim 1 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face; and

said angled engagement determining [a] said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

14. (Amended) The automatically adjusting self tightening wrench of claim 2 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face; and

said angled engagement determining [a] said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

15. (Amended) The automatically adjusting self tightening wrench of claim 3 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face; and

said angled engagement determining [a] said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

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A3CIS* 16. (Amended) The automatically adjusting self tightening wrench of claim 6 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face;

said first jaw member rotationally engaged with said fixed point and rotationally translating in said slot; and

said angled engagement determining [a] said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

17. (Amended) The automatically adjusting self tightening wrench of claim 7 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face;

said first jaw member rotationally engaged with said fixed point and rotationally translating in said slot; and

said angled engagement determining [a] said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

18. (Amended) The automatically adjusting self tightening wrench of claim 8 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face;

said first jaw member rotationally engaged with said fixed point and rotationally translating in said slot; and

said angled engagement determining [a] said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

35 U.S.C. § 112

Claims 1 and 9 have been amended to more clearly define the original elements of the application as to patentable subject matter to remove objections noted under §112. Existing elements have been more clearly defined and no new matter has been added. Should the Examiner have suggestions as to better clarify the claims the Applicant would welcome the Examiner's input.

35 U.S.C. §102 per Swedish Patent 83132

The Examiner has cited Swedish Patent 83132 as containing all of the elements and function of Applicant's claimed wrench for rejecting claims 1-18.

However, Applicant's is constructed, and provides functions, quite differently from the cited patent.

Applicant has amended claim 1 to more clearly define the subject matter of the invention and more clearly define the arc shaped, continuously curved handle face, of Applicant's device. Also Applicant's unique circular rotation of one component around the other allowing for an increase in the distance between the components from a minimum to a maximum in a progressive manner.

The cited reference does not have an arc shaped continuously curved handle face. In fact, the cited device has two planar sections which intersect at a mid point in the tool face. Neither does the jaw member of the cited reference rotate in an arc of a circular path which increases the distance between the jaw member and the handle face from a minimum progressively to a maximum distance.

Instead the cited reference as noted has two planar surfaces which intersect at a mid point in the handle face creating two different surfaces on two planes and a high point at their intersection. (See attached drawings 1-3 from cited art shown intersecting planes at a center high point)

When the jaw member of the cited reference moves around the two flat planes of the handle face, the smooth change in distance is interrupted by the high point at the intersection of the two flat planes. Additionally, the cited device would be gripping a part between one of the two flat planes or at the high point which teaches against applicants device's use of a smooth continuously arc shaped surface to thereby always have applicants tool grip a part between the components one side on the arc at a tangent line to the arc and on the other between the flat jaw surface. (See attached "Arc" explanation)

As such, Applicants device contains both structure and function neither taught nor suggested by the cited art which teaches against the use of a continuous arc shaped surface along the line of one circle for the first component and a planar surface on the jaw component which rotates on the circumference of a second larger circle around the first circle to give an even progressively larger gap between the components and one curved edge to always be turning into the gripped part when force is applied.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984)

CLEAN COPY OF AMENDED CLAIMS

1. An automatically adjusting self tightening wrench comprising:
 - a handle having a gripping end and a working end;
 - a jaw member rotationally attached at an attachment end at a fixed point to said working end of said handle;
 - said working end having a continuously curved handle face;
 - said continuously curved handle face shaped substantially in a smooth arc formed substantially along a circumference of a first circular path around a first center point adjacent to said fixed point;
 - said jaw member having a planar face opposing said curved handle face;
 - means to bias said planar face of said jaw member toward said handle face; and
 - said planar face following a generally second circular path around said fixed point and around said first circular path when said jaw member is rotated thereby moving from a first point a minimum distance from said curved handle face to a second point a maximum distance from said curved handle face whereby said automatically adjusting self tightening wrench may be placed over an object to be rotated and said object size is accommodated by rotation of said jaw member increase or decrease between said curved handle face and said planar face.

13. The automatically adjusting self tightening wrench of claim 1 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face; and

said angled engagement determining said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

14. The automatically adjusting self tightening wrench of claim 2 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face; and

said angled engagement determining said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

15. The automatically adjusting self tightening wrench of claim 3 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face; and

said angled engagement determining said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

16. The automatically adjusting self tightening wrench of claim 6 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face;

said first jaw member rotationally engaged with said fixed point and rotationally translating in said slot; and

said angled engagement determining said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

17. The automatically adjusting self tightening wrench of claim 7 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face;

said first jaw member rotationally engaged with said fixed point and rotationally translating in said slot; and

said angled engagement determining said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

18. The automatically adjusting self tightening wrench of claim 8 wherein said jaw member is comprised of a first jaw member strut between said fixed attachment point and an elbow which is in angled engagement with a second jaw member strut from said elbow to said planar face;

said first jaw member rotationally engaged with said fixed point and rotationally translating in said slot; and

said angled engagement determining said second circular path followed by said planar face around said curved handle face when said jaw member is rotated.

CLEAN COPY OF AMENDED PARAGRAPHS PAGES 9-10

Automatic adjustment of the device 10 to the size of the object 30 is provided by the rotation of the jaw member 18 about the pin 20. As the jaw member 18 rotates, the jaw gripping surface 26 on the jaw planar face 28 follows a circular path around the pin 20 but becomes increasingly distant from the handle gripping surface 24 formed on the arced handle working face 22. This resulting increase in distance allows the device to accommodate larger and larger objects 30 between mouth 34 formed between the jaw gripping surface 26 and the handle gripping surface 24. The maximum size of the mouth 34 so formed would be determined by the maximum distance of the jaw gripping surface 26 from the handle gripping surface 24 and also by changing the angle of the elbow 36 where it intersects the first jaw member strut 38 and angles back on the second jaw member strut 40 to determine the position of the jaw planar face 28 in relation to the handle working face 22. Increasing the angle of the elbow 36 would increase the smallest size of the mouth 34 and the resulting largest size of the mouth depicted in figure 2. Also seen in figure 2 are the two substantially circular paths 51 and 52 followed by the handle working face 24 and the jaw planar face 28 respectively. These offset circular paths followed by both surfaces thus increase and decrease the distances between the two allowing for the size of the mouth 34 to increase and decrease for the size of the object 30.